

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANTHONY HORBAL and HERC	§	
MANAGEMENT SERVICES, LLC,	§	No. 389, 2015
derivatively on behalf of SEEGRID	§	
CORPORATION,	§	
	§	
Plaintiffs-Below, Appellants,	§	Court Below:
	§	Court of Chancery of the
v.	§	State of Delaware
	§	
DANIEL SHAPIRA, PHILLIP	§	C.A. No. 10023-VCL
OLIVERI, HANS MORAVEC,	§	
GIANT EAGLE, INC., and GIANT	§	
EAGLE OF DELAWARE, INC.,	§	
	§	
and	§	
	§	
SEEGRID CORPORATION,	§	
	§	
Defendants-Below, Appellees.	§	

Submitted: February 10, 2016

Decided: February 15, 2016

Before **STRINE**, Chief Justice, **HOLLAND**, **VALIHURA**, **VAUGHN** and **SEITZ**,
Justices, constituting the Court *en Banc*.

ORDER

This 15th day of February 2016, the Court, having considered this matter on the
briefs and the oral arguments of the parties, and having concluded that the same should
be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its
Order of July 17, 2015;

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgments of the Court of Chancery be, and the same hereby are, AFFIRMED.*

BY THE COURT:

/s/ Karen L. Valihura
Justice

* We note that the process leading to the Court of Chancery's determination that Appellants were collaterally estopped was truncated, and that this process was less than ideal. However, the Appellants were permitted by the Court of Chancery to file a Sur-Reply brief to address the estoppel issues that were first raised in Appellees' reply brief below. Based upon our review of the record, we are satisfied that Appellants had a full and fair opportunity to address the collateral estoppel issues.